

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA,

v.

14-CR-088  
**ORDER**

RICARDO MELENDEZ,

Defendant.

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On December 6, 2016, the Court denied the Defendant's motion for free copies of his plea and sentencing transcripts because the Defendant had not yet filed a petition to vacate or reduce his sentence pursuant to 28 U.S.C. § 2255. The Court also noted that, before the Court could grant the Defendant's motion for free transcripts, the Defendant would need to show that he was indigent.

The Defendant has since filed a motion to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. See Docket No. 68. Upon review of the Defendant's motion, the Court finds that the Defendant qualifies for *in forma pauperis* status and grants the motion. The Defendant is reminded, however, that, as the Court stated in its December 6, 2016 Decision and Order, the Defendant is not entitled to free transcripts of his plea and sentencing unless and until he files a petition pursuant to 28 U.S.C. § 2255.

**SO ORDERED.**

Dated: January 21, 2017  
Buffalo, New York

s/Richard J. Arcara  
HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT JUDGE